

Remarks

1. The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a), stating that features of Claims 2 and 5 must be cancelled. Each of Claims 2 and 5 has been cancelled and no further response is required.

2. The Examiner has rejected Claim 1 under 35 U.S.C. § 112, second paragraph, noting that in Claim 1 it is unclear as to how the Applicant is considering the claimed apparatus as having first and second means for pivoting and counter-pivoting the pedestal. Amended Claim 1 includes only a single means for alternately pivoting and counter-pivoting the pedestal about the front to rear or longitudinal axis, deleting the formerly declared means for pivoting about the lateral axis.

Wherefore, the Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 112 rejection directed to the lack of clarity regarding the first and second means for pivoting and counter-pivoting the pedestal.

3. The Examiner has also rejected Claim 1 under 35 U.S.C. § 112, second paragraph, noting that in lines 7-8 of Claim 1 the phrase "said means" improperly appears. Amendments to Claim 1 set forth above delete each usage of the phrase "said means" and replaces each usage with the phrase "means for alternately pivoting and counter-pivoting the pedestal."

Wherefore, the Applicant respectfully requests that the Examiner's 35 U.S.C. § 112 rejection directed to improper usage of the phrase "said means" in Claim 1 be withdrawn.

4. The Examiner has also rejected Claim 1 under 35 U.S.C. § 112, second paragraph, noting that is unclear whether the rotating movements of the pedestal are the same as the pivoting and counter-pivoting movements. Amendments to Claim 1 set forth above delete reference to rotating movements and replaces said reference with "pivoting and counter-pivoting movements".

Wherefore, the Applicant respectfully requests that the Examiner's 35 U.S.C. § 112 rejection directed to Claim 1's improper usage of the phrase "rotating movements" be withdrawn.

5. The Examiner has rejected Claim 2 under 35 U.S.C. § 112, second paragraph. Claim 2 has been cancelled, and no further response is required.

6. The Examiner has rejected Claim 7 under 35 U.S.C. § 112, second paragraph, noting that it is unclear as to how the Applicant is considering the feet as segmented. The Applicant draws the Examiner's attention to cancelled Claim 12 which provided that the segments of the feet comprise a second plurality of quill and slide shaft combinations. For additional clarity, the phrases "segmented feet" appearing in Claim 7 have been deleted and such element is re-described in the manner of canceled Claim 12 as quill and slide shaft combinations.

Since Amended Claim 7 newly includes the first presentation in the claims of quill and slide shaft combinations, such quill and slide shaft combinations are described in Amended Claim 7 as a "first plurality" of the quill and slide shaft combinations.

Correspondingly, Claim 11 has been amended to describe its plurality of quill and slide shaft combinations as a "second plurality of quill and slide shaft combinations".

Wherefore, the Applicant respectfully requests that Examiner withdraw the 35 U.S.C. § 112 rejection directed to Claim 7.

7. The Examiner has similarly rejected Claims 3, 4, 6, 7, 8, 9, 10, 11, and 13-18 under 35 U.S.C. § 112 by virtue of their dependence from Claims 1 or 7. Accordingly, arguments set forth above in support of decisions by the Examiner to decline to extend 35 U.S.C. § 112 rejections of unamended Claims 1 and 7 to Amended Claims 1 and 7 are here restated in support of allowance of dependent Claims 3, 4, 6-11, and 13-18.

8. The Examiner has rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,850,740 issued December 28, 1998, to *Harinen*. The Applicant respectfully traverses said rejection and requests that the Examiner, upon review of the amendments to Claim 1 set forth above, and upon further review of the Traversing Arguments set forth below, decline to extend said rejection to Amended Claim 1. The portion of the structure of the apparatus of *Harinen* which is pivotable about the longitudinal axis is its support frame element 13. Longitudinal pivoting of the support frame 13 is provided

by the rotating ring 12. Accordingly, the Applicant understands that the Examiner has equated *Harinen's* support frame 13 with the pedestal element of Subsection (a) of unamended Claim 1.

Subsection (b) of unamended Claim 1 interposed the following limitation:

"Crane mounting means fixedly attached to or formed wholly with the upper end of the pedestal. . ."

However, the upper end of *Harinen's* support frame 13 does not include any structure which is capable of mounting a crane.

The Applicant respectfully asserts that the Examiner could have appropriately concluded that the upper end of *Harinen's* support frame does not include any crane mounting means, and upon reaching such conclusion, the Examiner could have appropriately declined to cite *Harinen* as an anticipating reference against unamended Claim 1.

In order to more clearly distinguish Claim 1 from the apparatus of *Harinen*, Claim 1 has been amended (in addition to other amendments to Claim 1 discussed above) to specify that the upper end of the pedestal is a "crane supporting upper end". The support frame 13 of *Harinen* is not a pedestal. To the extent that *Harinen's* support frame 13 could be viewed as a pedestal, it must be concluded that structures at the upper end of the support frame are not crane supporting structures.

Wherefore, the Applicant respectfully requests that the Examiner's novelty rejection of Claim 1 based upon *Harinen* not be extended to Amended Claim 1.

9. The Examiner has also rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,586,113 issued June 22, 1971, to *Grant*. The Applicant respectfully requests that the Examiner decline to extend said rejection to Amended Claim 1.

At column 5, lines 34-48, the Specification of *Grant* indicates that the electric motor 80 shown in Fig. 2 rotates the turntable 82 shown in Fig. 1 about the vertical axis. The drawings of *Grant* indicate that *Grant's* motor 80 and turntable 82 combination are incapable of any rotating or pivoting motion other than the specified motion about the vertical axis. In particular, *Grant's* motor 80 and turntable 82 combination do not perform any function for pivoting motion about the longitudinal axis.

Accordingly, the Applicant respectfully requests that the Examiner determine that *Grant's* motor 80 and turntable 82 combination do not control pivoting movements about the longitudinal axis within the meaning of Amended Claim 1.

10. The Examiner has also rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,819,445 issued October 13, 1998, to *LaBelle, et.al.* The Applicant respectfully traverses said rejection and requests that said rejection not be extended to Amended Claim 1.

The mechanism of *LaBelle* is mechanically similar to that of *Grant*. Just as the structure identified as the pedestal in *Grant* rotates only about the vertical axis, the structure identified in *LaBelle* as the pedestal (i.e., the drum 18) rotates about the vertical axis. Accordingly, arguments set forth above in support of a decision

by the Examiner to decline to extend the novelty rejection based upon Grant to Amended Claim 1 are here restated.

In order to more clearly distinguish the instant invention from the apparatus of *LaBelle*, Claim 1 has been further amended to specify that the pedestal has a front end and a rear end, and to further specify that the longitudinal axis extends from the front end to the rear end. With such orienting limitations included within Amended Claim 1, the Applicant asserts that Amended Claim 1 clearly distinguishes from the apparatus of *LaBelle*.

11. The Examiner has similarly rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,076,615 issued June 20, 2000, to *Dalland, et.al.* The Applicant respectfully traverses said rejection and requests that the Examiner decline to extend said rejection to Amended Claim 1.

The pedestal 14 element of *Dalland* has no mechanical capacity for pivoting or rotating about its front to rear longitudinal axis, as such axis has been clarified in Amended Claim 1. The Applicant respectfully requests that the Examiner decline to extend the novelty rejection of unamended Claim 1 based on *Dalland* to Amended Claim 1.

12. Upon withdrawal of each of the Examiner's novelty rejections directed to Claim 1, the Applicant respectfully requests that Amended Claim 1 be allowed.

13. The Examiner has similarly rejected Claims 3, 4, 6-11, and 13-18 as either being anticipated by *Harinen*, *Grant*, *LaBelle*, or

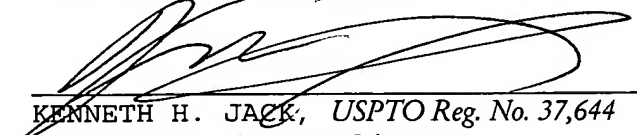
Dalland, or as being obvious in further views of *Vlaanderen*, *Pilch*, or *Wills*. Each of said claims depends from Amended Claim 1, they each having Claim 1 as a common parent claim. Accordingly, arguments set forth above in support of decisions by the Examiner to decline to extend the novelty rejections of unamended Claim 1 to Amended Claim 1 are here restated in support of allowance of dependent Claims 3, 4, 6-11, and 13-18. Upon allowance of Amended Claim 1, the Applicant respectfully requests allowance of dependent Claims 3, 4, 6-11, and 13-18.

14. In the event an Examiner's Amendment would result in allowance of any or all claims, the Applicant invites and would welcome such an amendment.

Prayer

WHEREFORE, the Applicant, Lester Kent Rhodes, respectfully requests allowance of pending Claims 1, 3, 4, 6-11, and 13-18.

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